



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mauldin, Sidney Wayne

Application No.: 10/750,108

Group No.: 3672

Filed: 12/31/03

Examiner: Tsay, Frank

For: Minimal Resistance Scallop for a Well Perforating Device

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)**

TO THE ASSISTANT COMMISSIONER FOR PATENTS

SIR:

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 6, 2005, finally rejecting claims. Two subsequent Advisory Actions Before Filing of an Appeal Brief, from the primary examiner, were never received by Applicant's Attorney and a Petition to Withdraw the Holding of Abandonment is being filed along with this Notice of Appeal.

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date September 5, 2006, in an envelope as "Express Mail Post Office to Addressee", mailing Label Number ER 539844718 US, addressed to the: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 9-5-06

Brian E. Powley

STATUS OF APPLICANT

This application is on behalf of a small entity.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Notice of Appeal is \$250.00.

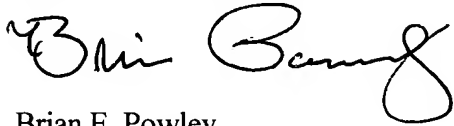
Notice of Appeal fee due \$250.00.

Attached is a check No. 1064 in the sum of \$250.00.

TIME FOR FILING APPEAL BRIEF

The time limit for filing the Appeal Brief is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian E. Powley". The signature is fluid and cursive, with the first name "Brian" and last name "Powley" clearly distinguishable.

Brian E. Powley
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